IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

NOTICE OF MOTION NO. 2603 OF 2003
IN
SUIT NO. 62 OF 2002
IN
PETITION NO. 344 OF 2001

Vivek S. Songaonkar .....Petitioner.
vs.
Smt. Sushila G. Songaonkar
and Ors. ....Respondents

V.S. Kapse for the petitioner.
A.B. Karuwande with R.D. Suryavanshi for the respondents.

CORAM: S.U. KAMDAR, J.

DATE : 8TH JULY, 2005.

P.C. :

1. In view of the order passed by the learned single judge in Notice of Motion No. 70 of 2004 dated 13.2.2004 deleting a property for 2which the present motion is taken out. I am of the opinion that the motion does not survive. It is because with the deletion of the said property from the probate petition as the same is no more a part of

the present litigation and/or probate petition. In view thereof no interim orders can be passed inrespect of the said property. Notice of Motion is thus dismissed with no order as to costs.

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